

REGULAR MEETING OF THE BOARD OF COMMISSIONERS
CITY OF FRANKFORT, KENTUCKY

OCTOBER 20, 2003
5:00 P.M. (EST)

PRESENT: Commissioner Lynn Bowers
Commissioner Tracey Turner Thurman
Commissioner Andrew S. Layson
Commissioner Robert Roach
Mayor William I. May, Jr. (5)
ABSENT: None (0)

Invocation by Mayor May.

Timothy Johnson was recognized for his service in Fire Department, having retired effective July 31, 2003, at the rank of Lieutenant.

It was moved by Commissioner Bowers, seconded by Commissioner Thurman, that the reading of the minutes of September 19, 2003 Special Meeting; October 6, 2003 Work Session; October 6, 2003 Special Meeting; and October 9, 2003 Special Meeting be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Ann Dix Maenza, President of Board of Directors for YMCA, gave presentation on the YMCA's Capital Campaign and requested the Board consider a partnership between the YMCA, City Government and County Government. Ms. Maenza was accompanied by Pete Walsh and Bill Stroupe.

"AN ORDINANCE FIXING THE RATE OF TAXATION FOR THE YEAR OF 2003 ON ALL TANGIBLE PROPERTY SUBJECT TO TAX, TRUST AND INSURANCE COMPANIES, PUBLIC SERVICE COMPANIES AND LEVYING SAID TAX FOR ALL CITY PURPOSES" was presented and read. This ordinance had its first reading September 15, 2003. It was moved by Commissioner Bowers, seconded by Commissioner Thurman, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 21, 2003 Series)

"AN ORDINANCE AMENDING ORDINANCE NO. 34, 2000 SERIES, AND FRANKFORT MUNICIPAL CODE SECTION 5.12.100 TO PERMIT THE SALE OF MALT BEVERAGES BY CERTAIN PRIVATE CLUBS ON SUNDAYS" was presented and read. This ordinance, containing the prevision for eleemosynary organizations with a membership of at least two hundred (200), had its first reading October 6, 2003. It was moved by Commissioner Layson, seconded by Commissioner Thurman, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman and Layson (3). Voting against the motion were Commissioner Roach and Mayor May (2). The motion was thereupon adopted. (Ordinance No. 22, 2003 Series)
Carlos Pugh, Commander, VFW, thanked the Board for having considered and passed the ordinance.

"AN ORDINANCE ADOPTING THE RATES OF TAXATION FIXED BY THE FRANKFORT INDEPENDENT SCHOOL BOARD ON ALL TANGIBLE PROPERTY AND PUBLIC SERVICE COMPANIES SUBJECT TO TAXATION AND LEVYING SAID TAX FOR SCHOOL PURPOSES" was presented and read.

"AN ORDINANCE AMENDING FRANKFORT MUNICIPAL CODE CHAPTER 15.24, ORDINANCE NO. 14, 1999 SERIES, ORDINANCE NO. 24, 2001 SERIES, AND ORDINANCE NO. 19, 2003 SERIES, PROPERTY MAINTENANCE CODE" was presented and read.

"AN ORDER AMENDING ORDER NO. 1, 1995 SERIES, AND ORDER NO. 9, 2002 SERIES, RELATING TO CONDITIONS OF EMPLOYMENT FOR POLICE OFFICERS AND FIREFIGHTERS" was presented. This order increases mandatory basic training hours from 400 to 640 for Police Department, and required passing a

job-related physical agility test annually or fully participating in Fitness/Wellness Program for Fire Department. It was moved by Commissioner Bowers, seconded by Commissioner Thurman, that the order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 12, 2003 Series)

“RESOLUTION AMENDING NUMBER OF VOTING MEMBERS NECESSARY FOR QUORUM AND EXTENDING TERM FOR SPECIAL TASK FORCE ON SANITARY SEWER POLICIES FOR THE SEWER DEPARTMENT OF THE CITY OF FRANKFORT, KENTUCKY” was presented. It was moved by Commissioner Thurman, seconded by Commissioner Roach, that the resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Resolution No. 12, 2003 Series)

Consent Calendar:

The following miscellaneous and personnel items were presented:

- 6.1 Bid award for one “Kid Builder” Playground Set for East Frankfort Park to Bluegrass Recreational Products, Kentucky State Price Contract #C-99002072, at a cost of \$16,585.36, plus installation costs of \$5,277.16, total cost of \$21,862.52, with funding from equipment account 100.80.56550 (Parks and Recreation);
- 6.2 Bid award for one 2004 Ford F-350 Utility Truck to Man-O-War Ford, Lexington, KY, Kentucky State Price Contract # C-01012846, in the amount of \$30,813, with funding from equipment account 100.62.56550; and declare one 1979 Utility Truck as surplus to be sold in next City auction (Public Works Department);
- 6.3 Bid award for one 2004 Recycling Truck to Municipal Equipment, low bidder, in the amount of \$98,850, with funding from equipment account 100.65.56550; and declare one 1990 Recycling Truck as surplus to be sold in next City auction (Public Works Department);
- 6.4 Renewal of Technical Service Support Agreement with Medtronic Physio-Control for Life Pak 10 Defibrillators/Monitors/Pacemakers, for three-year period to expire September 2, 2006, at \$12,103.85 each year, total \$36,311.55, with funding from account 100.41.53265 (Fire Department);
- 6.5 Award contract to Davey Resource Group, the sole respondent to requests for proposals, to complete scope of work under the 2003 Kentucky Urban and Community Forestry Grant to resolve conflicts between street trees and utilities, in the amount of \$13,975 (Parks and Recreation);
- 6.6 Authorization to execute an Agreement with William R. Pulliam, Greenway Enterprises, Inc., and Bluegrass Development of Frankfort, to End Cost Recovery at The Links at Duckers Lake, the Village at Duckers Lake and Duckers Point Subdivision, and authorize the payment of \$15,534 for the final 90 lots at \$172.60 per lot, with funding from account 560.00.51100 (Sewer Department);
- 6.7 Authorization to declare miscellaneous golf equipment consisting of one set of cups, one cup changer, one set of flags, one cup puller and one cup setter, as surplus and authorize disposal by transfer of items to Franklin County Lakeview Park facility (Golf Course);
- 6.8 Personnel
 - Confirmation of Dustin K. Bowman and Paul D. Wise as Patrol Officer effective October 22, 2003 (Police Department);
 - Confirmation of Gary A. Rubado as Patrol Officer effective November 12, 2003 (Police Department);
 - Accept retirement of Richard D. Whelan, Patrol Officer, effective October 31, 2003 and authorize payment of 36.25 hours of accrued vacation leave (Police Department);
 - Accept retirement of Jams W. Clark, Firefighter/Paramedic, effective October 31, 2003 and authorize payment of 56.45 hours of accrued vacation leave (Fire Department);
 - Extend conditional offer of employment, contingent upon successful completion of physical examination, to John F. Crum, III (Fire Department);
 - Appointment of Nichol Pritchett to position of Account Clerk I effective October 21, 2003 (Finance Department);
 - Promotion of William J. Edington from Maintenance Worker I to Recycling Coordinator effective October 21, 2003, Sanitation Division (Public Works Department);
 - Promotion of Anthony M. Jones, Sr. from Maintenance Worker to Equipment Operator I effective October 21, 2003, Streets Division (Public Works Department);

- Accept resignation of Stephen Mitchell, Maintenance Worker, Streets Division, effective October 17, 2003, and authorize payment of 75 hours of accrued vacation leave (Public Works Department);
- Extend probationary period for an additional six months for Jeffrey N. Roberts, Patrol Officer, from September 13, 2003 to March 13, 2004, Officer Roberts having been called to active duty by Kentucky National Guard effective January 27, 2003 and returning August 19, 2003 (204 days) (Police Department);

It was moved by Commissioner Bowers, seconded by Commissioner Layson, that all of the above listed miscellaneous and personnel items be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

Commissioner Roach requested Public Works Director provide Board with report on recycling costs at next work session.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the Continuing Engineering Services Agreement to evaluate and perform design services on pump stations be amended to cover the design of the Two Creeks 3, Miami Trail, Holly Hills and Cedar Run Pump Stations, in the amount of \$40,000, raising the contract price from \$200,000 to \$240,000 with funding from account 300.68.56550, Sewer Department. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that authorization be granted for advertisement of Request for Proposals for the procurement of a consultant to complete an Environmental Review for CDBG Grant related to "Save the Grand" Project, in the amount of \$5,000 with funding from contingency account 100.95.53295, with City to be reimbursed from Save the Grand, Inc., upon approval or denial of the grant application.. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Roach and Mayor May (3). Voting against the motion were Commissioners Thurman and Layson (2). The motion was thereupon adopted.

It was moved by Commissioner Bowers, seconded by Commissioner Roach, that Context Planning be authorized to complete the required Urban Renewal Plan and Studies for the CDBG Grant related to "Save the Grand" Project, in the amount of \$7,500 with funding from contingency account 100.95.53295, with City to be reimbursed from Save the Grand, Inc., upon approval or denial of the grant application. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Roach and Mayor May (3). Voting against the motion were Commissioners Thurman and Layson (2). The motion was thereupon adopted.

It was moved by Commissioner Thurman, seconded by Commissioner Bowers, to enter Continuing Engineering Services Agreement with Strand Engineers to assist the City with the Phase 2 Stormwater Permit implementation, at not to exceed fee of \$50,000, with funding from Capital Improvement Account 100.90.53295 (Public Works Department). The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

By general consent, ranking of firms for providing architectural services related to Police/911/EOC/Fire safety building or buildings removed from agenda for discussion at November 3, 2003 Work Session, upon recommendation of Commissioner Thurman.

It was moved by Commissioner Layson, seconded by Commissioner Bowers, that authorization be granted to solicit Request for Proposals for Wage and Classification Study for all employees of the City (City Manager's Office). The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, to enter into Lease Agreement Amendment and Renewal with Commonwealth of Kentucky for Capitol View Park. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Layson, seconded by Commissioner Thurman, that Ewing Street Force Main Project be declared an emergency, force main having found to be broken on October 14, 2003, and contract be awarded to Allied Pump Rentals for temporary pumping system for approximately four months at \$45,000, plus cost of technician for maintenance at \$55 hour; and FMSM (Fuller, Mossbarger, Scott & May) for inspection and design services at not-to-exceed fee of \$33,050, with funding from equipment account 300.68.56550. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Mayor May recognized Dan Smith, Boy Scout Troop 31, who was in attendance for Citizenship Badge.

Commissioner Bowers announced upcoming auction at South Frankfort Presbyterian Church, with proceeds going to charitable organizations, provided update on Habitat for Humanity activities, and presented Mayor May with a hammer for his support of Habitat for Humanity. Commissioner Thurman recognized Commissioner Bowers for her appointment as Executive Director of Habitat for Humanity. Mayor May announced October as Breast Cancer Awareness Month and September as Prostrate Cancer Awareness and encouraged annual check ups.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the Board meeting in closed session in accordance with KRS 61.810 (1), (f), to discuss personnel. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

MAYOR

ATTEST:

CITY CLERK